



MEETING OF THE CITY COUNCIL

Agenda

Cheryl Cox, Mayor

Rudy Ramirez, Councilmember
John McCann, Councilmember
Jerry R. Rindone, Councilmember
Steve Castaneda, Councilmember

David R. Garcia, City Manager
Ann Moore, City Attorney
Susan Bigelow, City Clerk

September 25, 2007
6:00 P.M.

Council Chambers
City Hall
276 Fourth Avenue

CALL TO ORDER

ROLL CALL: Councilmembers Castaneda, McCann, Ramirez, Rindone, and Mayor Cox

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

SPECIAL ORDERS OF THE DAY

- **OATHS OF OFFICE**

Eric Sutton, Growth Management Oversight Commission

Vandy Cam, Flavia Casas, Valeria Cuevas, Samuel Culver, Cassie Evans, Kate Googins, Erika Gracia, Matt Hoffman, Chelsea Rodriguez, Yazmin De Saracho, Marina De Saracho, John Tessitore and Elizabeth Vargas, Youth Action Council

CONSENT CALENDAR

(Items 1 through 8)

The Council will enact the Consent Calendar staff recommendations by one motion, without discussion, unless a Councilmember, a member of the public, or City staff requests that an item be removed for discussion. If you wish to speak on one of these items, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting. Items pulled from the Consent Calendar will be discussed immediately following the Consent Calendar.

1. WRITTEN COMMUNICATIONS

- A. Memorandum from Deputy Mayor Rindone, requesting excused absences from the City Council Meetings of September 11 and 18, 2007.

Staff recommendation: Council excuse the absences.

2. A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE TRANSFER OF CITY-OWNED PARCELS AND EASEMENTS AND THE RELINQUISHMENT OF ACCESS RIGHTS TO THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR THE FINAL ALIGNMENT OF STATE ROUTE 125 AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ALL DOCUMENTS NECESSARY TO COMPLETE THE TRANSFERS
- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE TRANSFER OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) OWNED PARCELS TO THE CITY FOR THE FINAL ALIGNMENT OF STATE ROUTE 125 AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ALL DOCUMENTS NECESSARY TO COMPLETE THE TRANSFERS

The construction of State Route 125 is nearing completion. Because of the design-build nature, minor alterations in alignment and/or design of the toll road have been made. These alterations require that some adjustments in the right-of-way configuration be made prior to opening. It is necessary for the City of Chula Vista to grant to the Department of Transportation (Caltrans) portions of certain City-owned parcels in fee, several easements, and will need to relinquish access rights to Caltrans in several areas. Conversely, Caltrans will need to grant to the City two parcels of excess land that ended up outside of the final right-of-way. (Engineering and General Services Director)

Staff recommendation: Council adopt the resolutions.

3. REPORT REGARDING THE ANNUAL RATE ADJUSTMENT OF SOLID WASTE SERVICE RATES PER THE TERMS AND CONDITIONS OF THE AMENDED AND RESTATED RECYCLING AND SOLID WASTE FRANCHISE AGREEMENT

City Council previously approved the continuation of the solid waste General Service Rates adjustment formula, and requested staff return with a report when the evaluation of the rate adjustment was complete for Fiscal Year 2007/2008. Rate adjustments are effective July 1 for Large Quantity Generators (commercial and industrial service customers) and September 1 for Small Quantity Generators (cart service customers), annually. (Engineering and General Services Director/Public Works Operations Director)

Staff recommendation: Council accept the report.

4. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS IN CONJUNCTION WITH OBTAINING LOANS THROUGH THE CALIFORNIA ENERGY COMMISSION AND THE SDG&E ON-BILL FINANCING PROGRAM, NOT TO EXCEED A TOTAL OF TWO MILLION DOLLARS (4/5THS VOTE REQUIRED)

Adoption of the resolution authorizes staff to enter into a combination of agreements for loans with the California Energy Commission and "On Bill Financing" with SDG&E. The agreements would bridge the financial gap between energy conservation project capital costs and the available rebates for energy conservation equipment. (Conservation and Environmental Services Director)

Staff recommendation: Council adopt the resolution.

5. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING \$412,000 FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY FOR THE DUI ENFORCEMENT AND AWARENESS PROGRAM, ADDING ONE PEACE OFFICER TO THE AUTHORIZED STAFFING LEVEL OF THE POLICE DEPARTMENT AND APPROPRIATING FUNDS THEREFOR (4/5THS VOTE REQUIRED)

The Police Department has received additional funding from the Office of Traffic Safety to enhance its existing DUI program, which focuses on traffic enforcement strategies to reduce persons killed and injured in alcohol-involved collisions. This funding will create a dedicated Officer position in the Traffic Unit to oversee the DUI Enforcement and Awareness Program. (Police Chief)

Staff recommendation: Council adopt the resolution.

6. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING \$42,660 FROM THE GOVERNOR'S OFFICE OF EMERGENCY SERVICES AND APPROPRIATING FUNDS THEREFOR, WAIVING THE CONSULTANT SELECTION PROCESS AND APPROVING THE CONTRACTUAL AGREEMENT WITH SOUTH BAY COMMUNITY SERVICES TO PROVIDE SERVICES FOR DOMESTIC VIOLENCE CASES (4/5THS VOTE REQUIRED)

The Police Department and South Bay Community Services have been working in partnership for the past ten years providing domestic violence services to the community. Adoption of the resolution will accept a grant amendment from the Governor's Office of Emergency Services to extend the Domestic Violence Response Team funding from June 30, 2006 to December 31, 2007 and approve a contractual agreement with South Bay Community Services to provide domestic violence case services. (Police Chief)

Staff recommendation: Council adopt the resolution.

7. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A REQUEST FROM THE BONITA BUSINESS AND PROFESSIONAL ASSOCIATION TO CONDUCT THE BONITAFEST AND BONITAFEST PARADE ON SATURDAY SEPTEMBER 29, 2007 AND WAIVING ASSOCIATED FEES FOR POLICE SERVICES

The Bonita Business and Professional Association will be conducting their annual Bonitafest event on September 29, 2007 and is seeking to waive fees for Police services. (Police Chief)

Staff recommendation: Council adopt the resolution.

8. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING CONTRACT FOR THE "PAVEMENT REHABILITATION PROGRAM FISCAL YEAR 2006/2007 DIG-OUTS & CHIP SEAL (STL-340A)" PROJECT TO BOND BLACKTOP, INC. IN THE AMOUNT OF \$3,202,378.60 AND AUTHORIZING THE EXPENDITURE OF ALL AVAILABLE FUNDS IN THE PROJECT

On September 12, 2007, the General Services Director received sealed bids for the “Pavement Rehabilitation Program Fiscal Year 2006/2007 Dig-Outs and Chip Seal (STL-340A)” project. The work consists of the application of removal and replacement of damaged asphalt concrete pavement “dig-outs” and as an alternative bid item, chip seal pavement coatings, on various pavement locations in the City of Chula Vista. Project work also includes striping, traffic control, and other miscellaneous work, all labor, material, equipment, and transportation necessary for the project. (Engineering and General Services Director)

Staff recommendation: Council adopt the resolution.

ITEMS REMOVED FROM THE CONSENT CALENDAR

PUBLIC COMMENTS

Persons speaking during Public Comments may address the Council on any subject matter within the Council’s jurisdiction that is not listed as an item on the agenda. State law generally prohibits the Council from taking action on any issue not included on the agenda, but, if appropriate, the Council may schedule the topic for future discussion or refer the matter to staff. Comments are limited to three minutes.

PUBLIC HEARINGS

The following items have been advertised as public hearings as required by law. If you wish to speak on any item, please fill out a “Request to Speak” form (available in the lobby) and submit it to the City Clerk prior to the meeting.

9. CONSIDERATION OF AMENDMENT TO THE FISCAL YEAR 2007/2008 ANNUAL ACTION PLAN TO REALLOCATE \$35,000 OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

The 2007/2008 Annual Action Plan for the Community Development Block Grant, Home Investment Partnership Program and the Emergency Shelter Grant Programs must be amended in order to reallocate \$35,000 of unencumbered funds. This process requires a 30-day review period as well as a public hearing. (Acting Community Development Director)

Staff recommendation: Council conduct the public hearing and adopt the following resolution:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2007/2008 ANNUAL ACTION PLAN TO REALLOCATE \$35,000 OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS TO THE SAN DIEGO REGIONAL REVOLVING LOAN FUND; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS; AND ESTABLISHING THE SAN DIEGO REVOLVING LOAN PROJECT AND AUTHORIZING INTERPROJECT TRANSFERS AS NECESSARY (4/5THS VOTE REQUIRED)

ACTION ITEMS

The Item listed in this section of the agenda will be considered individually by the Council, and is expected to elicit discussion and deliberation. If you wish to speak on any item, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting.

10. CONSIDERATION OF CAMPAIGN CONTRIBUTION ORDINANCE REPORT

On August 14, 2007, the City Council directed the City Attorney to return to Council with a report outlining the ambiguities with the existing Campaign Contribution Ordinance and recommend changes to clarify the existing ordinance. (City Attorney)

Staff recommendation: Council hear the report and provide direction.

OTHER BUSINESS

11. CITY MANAGER'S REPORTS

12. MAYOR'S REPORTS

- A. Recommendation from the Legislative Subcommittee regarding appointment process for members of the Board of Ethics.
- B. Ratification of the appointment of Neisha Glen to the Cultural Arts Commission.
- C. Ratification of the appointment of Bianca Brodbeck to the Youth Action Council.

13. COUNCIL COMMENTS

CLOSED SESSION

Announcements of actions taken in Closed Session shall be made available by noon on Wednesday following the Council Meeting at the City Attorney's office in accordance with the Ralph M. Brown Act (Government Code 54957.7).

14. PUBLIC EMPLOYEE PERFORMANCE EVALUATION PURSUANT TO GOVERNMENT CODE SECTION 54957

Title: City Attorney

ADJOURNMENT to the Regular Meeting of October 2, 2007 at 4:00 p.m. in the Council Chambers.

In compliance with the AMERICANS WITH DISABILITIES ACT

The City of Chula Vista requests individuals who require special accommodations to access, attend, and/or participate in a City meeting, activity, or service request such accommodation at least forty-eight hours in advance for meetings and five days for scheduled services and activities. Please contact the City Clerk for specific information at (619) 691-5041 or Telecommunications Devices for the Deaf (TDD) at (619) 585-5655. California Relay Service is also available for the hearing impaired.